App. F IX-4

Previous References
Mal. 92-38 (1,2,3,4,5,6)

1940.
(Mal)

File No. 74-39
Serial Nos. 6, 11 & 12

Later References.
111-40 (1 & 2)
~~111-63-41~~ Sho: Atty B Sept 2. '40.
111 - 41 - 27 3-0
~~111-165-43~~ (142)

Reserve

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Three

Part 'B' for August 1940

SUBJECT.

Delegation of Certain powers to the Port of Tauranga Town Mal. el.

2

el 11]

The D.C., Katikati
L 1182 Dy 1st Aug. 1940

WD 0578-GPT-38,500-12-8-39
Tauranga the _____

3/12/40

Re Delegation of certain powers to the President Tarikere Tn. Mdo Cl

Revenue and Revenue Secretariat | Cent File No 74 of 1939 3869/2 [App F III-2

Serial No.	
6	Letter No A3-687/39-40 dt 15-1-40, from the D.C. Kadur Dt, on the above subject. The D.C. Kadur requests sanction to the delegation of certain powers under certain sections of the M.L. Act to the President of the Tarikere M.L.C.I with a view to obtain expeditious disposal of work.
4 ... placed before it	2 Govt. in their order No L6185/ML 98-38-6 dt 1-2-39 have approved the revision of the rules framed under Section 46(6)(i) of the T.M. Act, 1933, thereby delegating certain powers to the President, Chikmagalur Tn. M.C.C. Submd. for orders.
	Done 5-2-40 3 The question has been scrutinized with the sections quoted in Para 4 and the Law of this Act, 1933 4 Additions have been made wherever necessary only in sections 24, 85, 108, 123 5 Certain Omissions (of clauses) have been made in effect of sections 109, 134 6 It is not necessary to delegate the powers under the C 138, 144, 157 152, 153, 161 & 166, as they relate either to punishments or no mention is made

NOTE -Contn. Sheet

Serial No.

therein of the President or the Minister or the President by already delegated which need not again be delegated to him by the Minister.

I should be exempt from Rule 4 (vi) that the President, Chittaranjan Das Minister has been delegated with more powers e.g. under Sec 30(5), 73, 78-A(1)(b)(4), 107, 112, 164(1), 171 & 175, which would have enabled the Minister to dispose of a large amount of business.

2. The proposal may therefore be sanctioned with the modifications suggested above.

3. The Law Section may also be consulted as to the delegation of powers under the Section proposed to the President would be in order.

9/2/20

Land Acquisition Act and the orders passed thereunder have been amended by Act 15 of 1920

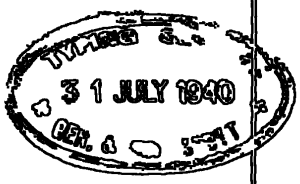
As personally directed, the question has been further examined. A statement (Flag P) is prepared showing the Sections under which the Bankura Dam Minister may delegate its powers to the President. The wording of the powers is made to coincide with the wording in the Land Acquisition Act, in respect of those Sections. This statement will be put up for approval

Powers to the President, Karnataka [illegible]

38.V

General and Revenue Secretariat — File No 74 of 1940 — [App F III-2

Serial No.



11) Hon'ble Minister for Powers delegated to the President, Bangalore City Municipality. If these powers are also delegated to the President, Bangalore City Municipality, then a large amount of the business of the Municipality would be disposed of and the facility would also prevent the delay which is now caused in regard to these matters. This may perhaps be commented by the Municipal Minister for Consideration

12) A draft G.O. is also proposed for consideration

For 9/7/40 13) The President and Council Bangalore may be delegated the several powers as noted in the statement flagged P, in the interest of quick disposal of work. Draft G.O. is for approval —

Local Secy)

14) May be approved

II Member)

24/7/40

Hon 2 26/7/40

26/7/40

Hon 2 29/7

29/7

9/8/40

901

NOTE—Contn. Sheet.

Delegation of powers to the Tarikere Tn Ml. bl.

3869

ML File No. 74 – 39 – 2 of 1939-40

General and Revenue Secretariat

Serial No. 11

To

The Dy Commr Kadur

No L 1188 a 1 – 8 1940

Sanctions the delegation of certain powers to the Pol. J Tarikere Tn ML bl.

(2) In the interest of quick despatch of work and to enable the ML. bl to dispose of a larger amount of business, it seems desirable to delegate some more powers to the Pol. Tarikere Tn. ML bl as in the case of the Pol. Chikmagalur Tn. ML bl under sections 38(5), 75, 78(1&4), 101, 115, 117, 120(2), 141, 142, 164(1), 171 and 175 in addition to the Powers now delegated to him

(3) Subs for orders with refce to para 1 supra may kindly be suggested to the D.C. Kadur Dist for necessary action?

(4) Please put up a draft

2/8/40

2/8/40

Issued with a draft letter for approval.

3/8/40

Law Secy)

3/8/40

9/8/40

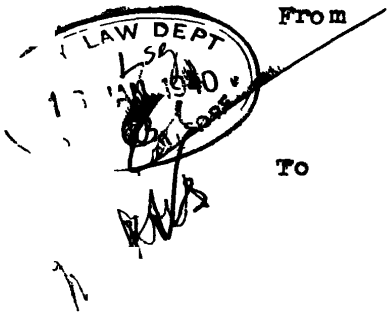
SECY LAW DEPT 13 AUG 7 AUG 1940 GOVT OF MYSORE

TYPING SEC 1 1 13 1940

3860

No A3-687/39-40. Office of the Deputy Commissioner,
Enc. one file. Kadur District,
Chickmagalur, dated, the 15th January 1940.

ML 74 39-6



From

E.V.Ganapati Iyer, Esquire., B.Sc.,
Deputy Commissioner,
Kadur District.

To

C.Subrahmanya Aiyar, Esquire., B A., B L.,
Secretary to Government,
Law Department,
Bangalore.

Sir,

I have the honour to state that the Town Municipal Council, Tarikere resolved on 26-8-1939 that the power of the Municipal Council under certain sections of the Act may be delegated to its President, with a view to obtain expeditious disposal of matters. Rules were prepared under Section 46 of the Act and the Council have resolved on 31st December 1939 that the sanction of Government may be obtained for the same. In forwarding herewith a copy of the resolution of the Municipal Council and a copy of rules, I request you to kindly obtain the sanction of Government to the same.

I have the honour to be

Sir,

Your most obedient servant,

Deputy Commissioner,
Kadur District.

hpr.

Proceedings of the meeting held on Tuesday the 26th August 1986

January June, municipal council

held on wednesday

members present

14 members about

XV

Municipal Regulations

Sections

84 (1)(2) Penalty for creation of ✓ Octroi

85 (2) Penalty for selling ✓ articles liable to Octroi in limit a license

102 (1) Breach of provisions of Sub-section 3 of section 102 (1) the regular line of private street

106 (1) Breach of provisions of Sub-section 1, 2 of section 106 re projections and external walls of buildings

Section 1[illegible] Breach of the
provisions of this Section
114 1,4 of Section
109 Regarding Construction
of buildings etc

119 Re Sewers etc unauthorisedly
Constructed removal or
Unstopped

123(1&3) Re Projections
over external Structures

126 (1&2) Re naming
Streets and numbering
of houses

130(1) Re Disposing
Pavements etc

131 (1, 2&3) Re obstructions
and encroachments upon
Public Streets and Pave-
ments

132 Re Hoardings to be
set up during repairs etc

133 (1&3) Re fencing
and lighting during
repairs

134 (1&2) Re Trees
not to be destroyed or
hole made in a Street
without permission.

136 (1&2) Depositing Dust etc

137 Discharging Sewage etc

138 Non-removal of Filth etc

139 Ticketing business etc

143 Issuing of removal warrants

144 (1 & 2) Ticketing carcase etc

147 Licensing markets, slaughterhouses and certain business

148 (1 & 2) Opening, closing and letting of markets and slaughterhouses etc

150 (1) Registering of shops for sale of poisons drugs

~~151~~ ~~Regulating of sale~~ dispensing drugs

152 Unwholesome articles of food and drink

153 False weights and measures

154 Removing of persons diseased

155 Closing places for the disposal of the dead

158 (1 & 2) Measures for certain trades and occupations

~~164~~ Byelaws

163 Punishment of disorderly orders and rules not punishable under any other section

for sweeps, hawkers, and billposting

Sect

166 Proceedings of any [illegible] occupied offices in [illegible] Republic

170 (1) Prosecution

[illegible]

By S. Abdul Khader

President
20-8-45 36

"Offg"

[illegible]

Pendency

Tenure only

Powers delegated to the Residents Municipal Councils, Durban, by the Council under Section 35 of the Town Planning Ordinance, 1949 as amended

Prosecutions under Section 70

Sections

84 (2) Penalty for erection of advertisements

85 (1) Penalty for selling articles liable to attract a licence

102 (1) Breach of Provision of Sub Section 3 of Section 102 (1) the Regular line of Private Street

106 (1) Breach of Provision of Sub Sections 1, 2 & 3 of Section 106 re Roofs and external walls of buildings

109 Breach of the provisions of Sub Sections 1, 4 and 5 of Section 109 Regarding Construction of buildings etc

119 Re Sewers etc unauthorisedly constructed, rebuilt or altered

123 (1 & 2) Regarding Projections over external structures

126 (1 & 2) Regarding Naming Street and numbering her.

130 (1) Re dispensing Pavements &c

131 (1, 2 & 3) Re obstructions and encroachments upon public streets and open spaces

132 Regulating hoardings to be set up during repairs &c

133 (1 & 2) Re fencing & lighting during repairs &c

134 (1 & 2) Re Timber not to be deposited or the made in a street without permission

136 (1 & 2) Depositing Dust &c

137 Discharging Sewage &c

138 Non-removal of Refuse &c

139 Fencing buildings &c

143 Using Persons animals

144 (1 & 2) Fattening Cattle &c

149 Licensing markets, Slaughterhouses and certain businesses

148 (1 & 2) Opening, Closing and letting of markets and Slaughter houses &c

150 (1) Registering for Sale of European drugs

154 Unregistered persons dispensing drugs

152 Inspection of wholesome conditions of food and drink

Sections

153 False weights and measures

154 Prevention of dangerous diseases

157 Closing places for the disposal of dead

158 (1+2) Nuisances from certain trades and occupations

161 Brothels

163 Punishment for disobedience of orders and notices not punishable under any other section

166 Proceedings of any occupier opposed the execution of the Regulations

170 (1) Prosecutions

Leonard Hobhouse

Clerk to the
Town Council

Proceedings of the Ordinary General meeting of the Municipal Council Dankere held on 31 12 39

ಡಿ. ಕೆ ಶ್ರೀನಿವಾಸಾಚಾರ್ ಬಿ.ಎಸ್ಸಿ (ಆನರ್ಸ್)

President

Members Present 14				Members absent 4			Vacant 3		2nd 24
×	×	×	×	×	×	×	×	×	
×	×	×	×	×	×	×	×	×	

Subject	Resolution
(174) 1936ನೇ ಆಗಸ್ಟ್ 26ರಲ್ಲಿ ಪಬ್ಲಿಸಿಟಿಯ ಪ್ರಕಟಣೆಯಂತೆ ಅರವರಿಗೆ 30ನೇ ಸೆಪ್ಟೆಂಬರ್ ಅಂತ್ಯಕ್ಕೆ ತೆಲವ್ರ ಸೇಕ್ಷನ್‌ಗಳ ವಿಚಾರದಲ್ಲಿ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದರುವ ಬಿಸ್ಸಿ ರಾಲ್ಸು ರಚನೆಯಿಂದ ಪಟಂಜೂರಿ ಬಿಸ್ಸಿ ಮೇಲಕ್ಕೆ ರಳುಹಿಸಿದಲು ರೂಲ್ಸು ರಚನೆ ಮಾಡಿರುವ ವಿಚಾರ	ರೂಲ್ಸನ್ನೆ ಸರ್ಕಾರ ರದ್ದಮಾಡಿರುವುದರಿಂದ ಈ ತೀರ್ಮಾನ ಉಪಕಾರಿಯಾಗಿದೆ

(Sd) D K Srinivasachar

President

31 12 39

"Extract"

[illegible]

1 1 40

President

Town municipal council Townships

Rules framed under Section 46(6)(1) of the Town municipalities Act of 1933 relating to the powers delegated by the municipal council, to the President of the Dunkere Town municipality.

Under Section 35 of the Negros Town municipalities Act of 1933, the President of the Dunkere Town municipal council, shall, in addition to all, and any powers that are, or may be delegated to any municipal officer, or servant, under the act or any By-laws framed thereunder, exercise the powers conferred by the municipal council, by the following sections:

Section 84(2) Penalty for evasion of octroi

85 (1) Penalty for selling articles liable to octroi without a licence

102 (1) Breach of provisions of sub Section 3 of Section 102(1) re the Egmont line of public Street

106 (1) Breach of provisions of Sub Sections 1, 2 & 3 of Section 106 re Roofs and external walls of buildings

Breach of provisions of sub-sections 1, 4 and 5 of section 109 regarding construction of buildings etc

119 Re- Sewers etc discontinued, prohibited or restricted

123 (1 & 2) Regarding Projections over external structures

126 (1 & 2) Regarding naming streets and numbering houses.

130 (1) Re displacing pavements etc

131 (1, 2, & 3) Re obstruction and encroachments upon public streets and open spaces

132 Regarding Hoardings to be set up during repairs etc

133 (1 & 2) Re fencing dilapidated during repairs etc

134 (1 & 2) Re sinks or tube dispensed or hole made in a street by tenant permission.

136 (1 & 2) Depositing Dust etc

137 Re-Changing sewers etc

138 Re- Removal of pitches

39 Fees, business etc

143 Using premises name

144 (1+2) Selling cakes etc

147 Licensing markets, slaughter houses and certain businesses

148 (1+2) Opening, closing and letting of markets and slaughter houses etc

150 (1) Keeping for sale of European dogs

151 Uncertificated persons destroying dogs.

152 Unwholesome articles of food and drink

153. False weights and measures

154. Prevention of dangerous diseases.

157. Closing places for the disposal of dead

158 (1+2) Nuisances from certain trades and occupations

161 Byelaws

162 Punishment for destroying orders and this not punishable under any other section

166.

170 (1)

31-12-

Proceedings of the meeting of the
Municipal Council Jamkhed
held on 31-8-1960

Present. Dr. Smt. Vasudha Deshmukh
Asst (Mrs)

Members Present
12

Members absent
9

53 [illegible] 88 (5)
75, 78 (1)(4) 101
112, 115, 117, 120 (2)
141, 164 (1) 171 and
175 [illegible]

[illegible]

[illegible]

Dr. Smt. Vasudha Deshmukh
Asst (Mrs)
31-8-60

Jam municipal council

Jamkhed

Rules framed under sect 46 (6) (1) of the Jam municipalities Act of 1933 relating to the additional Powers delegated by the municipal council to the President of the Jamkhed Jam municipality on addition to the Powers sanctioned by Govt vide ~~order No~~ L 1188 - no 74-39-11 dated 1-8-1940 under sects 35 of the Bombay Jam municipalities Act of 1925 the President of the Jamkhed Jam municipal council, shall in addition to all and any powers that are or may be delegated to any municipal Officer, or Servant under the Act or any bye-laws framed thereunder, exercise the Powers conferred on the municipal council by the following sections -

38 (5) To return of tenders for Works exceeding Rs 200/-

75 Name of transferee to be entered in the municipal Registers

78 (1 to 4) 1 Charging fee for certain licence

78 2 Charging fee for person interested occupation or Projection

3 Charging market and other fees

4 Farming of fees.

101 Temporary Closure of Streets.

112 To direct Improvement of Lots

115 To arrange for sufficient drainage of houses

117 Order Provision of privies etc.

120 (2) Power to direct pulling down of new buildings, built over any Sewer, drain, Culvert gutter etc belonging to the Municipality

141 Abatement of nuisances from wells etc

164 (1) Recovery of expenditure incurred by the Municipal Council for default of owner or occupier for Recruits

171 Power to Command Persons

175 Recovery of amounts by suing Suits

Rendered
Secretary

The Proposal to delegate certain powers to the President, Tarikere Town Mc Cd (with the modifications suggested at Paras 4, 5 and 6 of the office notes, will be as follows →

Section — TM Act	Powers
84 (1)	Power to authorise any officer to demand octroi by tendering a bill specifying the article taxable, etc
85(2)	Power to authorise an officer to enter and search premises wherein articles on which octroi has not been paid are kept and to seize any such article and arrest person in possession of the same
102 (1)	[Power to prescribe a regular line of public street, etc]
106 (1) & (2)	Power to allow use of (1) inflammable materials in the construction of roofs and external walls of buildings and (2) to require removal of roof and wall, if inflammable
109 (2) & (3)	Power to give permission to construct, alter or reconstruct or to impose condition or suspend the construction of buildings

* is not desirable to delegate this power

Section – TP Act	Power
119	Power to issue a notice to stop, demolish, amend or alter the sewers, drains, etc, unsupervisedly constructed, rebuilt unstopped
	Power to permit the owners buildings or erect projections & external structures of ldngs.
	Power re naming of streets nd numbering of houses
	Power to remove obstructions encroachments upon public rects and open spaces
	Power to grant licence to person tending to build, alter or pour any building – the work which is likely to cause obstruction in any street etc, and to impose condition for setting up hoardings, etc
133 (1)	Re Power requiring Precautions to be taken in connection with the fencing and lighting during repairs of any streets, drains, etc

3860

The statement (flag P) may be rewritten so as to be legible

The sl is rewritten and annotated.

section	power
134 (1)	Power to permit or Prohibit the deposit of timber or make a hole in any street, etc
147	[Power to grant, suspend, withhold or withdraw licences in cases of markets, slaughter houses and other business]
nor desirable to delegate-this power	
154 (1), (2) & 3	Powers to be exercised in connection with the Prevention of dangerous diseases
170(1)	Power to order prosecution of offenders for Public nuisance and to order proceedings being taken for the recovery of penalties, etc
not necessary	

~~170 (1) Prosecution~~

The President of the Chakkamagalur Town Mc Cl has been delegated with the following powers under sections noted below

38 (6) Inviting tenders for works exceeding Rs 200/-

75 Substituting the name of the transferee in Mc registers.

78 (1) to (4) 1) Charging fees for certain licenses
3) " for encroachments, projections or projections
(3) " Market & other fees
(4) Farming of fees.

101 ——— Temporary closure of streets.

102 ——— Improvement of huts

115 ——— Sufficient drainage of houses

117 ——— Provision of Privies, etc

120 (2) — Power to direct pulling down of the bldg, built over any sewer, drain, etc belonging to Mcf.

141 ——— Abatement of nuisances from wells, etc

164 (1) ——— Recovery of expl incurred by the Mc Cl for default of owner or occupier for execution.

171 ——— Power to Compound offences.

175 —— Recovery of amounts by filing suits

G. R. S App. F VI—G 2]

SUBJECT

Diary No. of letter replied to

General and Revenue Secretariat

( )

the *193*

Date of issue 1/8/40 193

Signed by Mm. T. R.

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette, English Part?

(iv) translated?

(v) placed at the disposal of the press?

(vi) published in the Gazette, Kannada Part?

Section. 2nd

File No. 74-39

Serial No. 11

Proceedings of the Government of His Highness the Maharaja of Mysore

Read— Letter No. R3-687/39-40, dated the 15th January 1940, from the Deputy Commissioner Kadur Dt, forwarding for sanction draft rules framed under section 46 (4)(i) of the Mysore Tn. Mlties Act, 1933, by the Tarikere Tn. Mt. Bd for the delegation to its President of certain powers under Sec. 35 of the said Act.

Order No. 1 1188

Sanction is accorded to the delegation of the to the said President several powers as contain

in the Statement appended
to this order
2 Ten certified copies of the rule/may
be sent to the Secretariat for reference & record.

Secretary to Govt
Law Dept

The D.C Kadur is with a
ten certified copies of the rule
may be sent to the Secretariat
for reference & record

List of Enclosures

Copied by

Examined by

0954—GPS—22,500—9-1-62

Rules under section 46 (b)(1) of the Mysore Town Mlties Act of 1933 relating to the Powers delegated by the Ml bl to the President of the Tarikere Tn. Mlty

---

Under section 35 of the Mysore Tn Mlties Act of 1933, the Pot of the Tarikere Tn Ml bl, shall, in addition to all and any powers that are or may be delegated to any Ml officer, or servant under the act or any bye laws framed thereunder, exercise the powers conferred on the Ml bl by the following sections.

84 (1) Power to authorise any officer to demand octroi by tendering a bill, specifying the article taxable, etc

85 (2) Power to authorise an officer to enter and search premises wherein articles on which octroi has not been paid are kept or to seize any such article and arrest person in possession of the same.

106 (1) & (2)	Power to allow use of (1) inflammable materials in the construction of roofs and external walls of buildings and (2) to require removal of roof and wall, if inflammable.
109 (2) & (3)	Power to give permission to construct, alter or reconstruct or to impose condition or to suspend the construction of buildings
119	Power to issue a notice to stop, demolish, amend or alter the sewers, drains, etc., unauthorisedly constructed, rebuilt or unstopped
123 (1) & (3)	Power to permit the owners of buildings or erect projections over external structure of buildings.
131 (2)	Power to remove obstructions or encroachments upon Public streets and open spaces
132 (1) (a)	Power to grant licences to persons intending to build

alter or repair any building — the work of which is likely to cause obstruction in any street, etc, and to impose condition for setting up hoardings, etc

133 (1) Re Power requiring precautions to be taken in connection with the fencing and lighting during repairs of any streets, drains, etc.

134 (1) Power to Permit or Prohibit ~~the~~ the deposit of timber or make a hole in any street, ~~etc~~.

154 (1), (2), & (3) Powers to be exercised in connection with the prevention of dangerous diseases

---

Hrs
2 6/7
For Secretary to Govt
Law Dept

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

Read —

Letter No.A3-687/39-40 dated the 15th January 1940, from the Deputy Commissioner, Kadur District, forwarding for sanction draft rules framed under section 46(b)(i) of the Mysore Town Municipalities Act, 1933, by the Tarikere Town Municipal Council for the delegation to its President of certain powers under Section 35 of the said Act.

ORDER NO. L 1188/mc 74-39-11

Dated, Bangalore, the 1st aug. ~~July~~ 1940.

Sanction is accorded to the delegation of the several powers to the Municipal President as contained in the statement appended to this order.

By

For Secretary to Government,
Law Department.

To

The Deputy Commissioner, Kadur District with a statement ten printed copies of the rules may be sent to the Secretariat for reference and record.

mk.3

Appendix F G—1]

SUBJECT

Section 2e
File No 74-39
Serial No. 12

Diary No of letter replied to

No. L1396.

To

The DC Kadur Dt.

General and Revenue Secretariat

( )

the *19*

Sir,

Subject. Delegation of powers to the President of the Tarikere ML bl

"Date of issue. 19/8/40

With refce to your letter No. A3-687/39-40, dt 15-1-1940, on the above subject, I am directed to state that ~~[illegible]~~ in addition to the powers sanctioned in the letter ~~G.O. No. L1188/md 74-39-1 dt 1-8-40~~, it seems desirable to delegate to the President of the Tarikere TM ML bl some more powers under sections 38(5) 75, 78(1)(b)(4), 101, 112, 115, 117, 120(2), 141, 164(1), 171 and 175 of the T M Act,

Signed by Asst to Commr

List of enclosures

Copied by

Examined by

as has been done in the case
of the Chikmagalur Tn Mdlg.
so that the disposal of business
in the day to day administration of the
Mdlg may be expedited, and to
request you to commend to the
Tarikere Tn Panchayat the desirability
of delegating the powers under the
aforesaid sections.

I have etc

Forsd/- to Govt
for Secy to Govt
Law Department